UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THOMAS GLENWRIGHT, JERRY G. OWENS, WALTER LERMINIAUX, Jr., MICHAEL VOIGHT, BRIAN DESAIN, DAVID J. YAWORSKI, ROBERT TURCHETTI, ROBERT CONGER, DAVID SANTO, WILLE RAY LONON, JOSEPH ACQUISTA, DEARICK L. SMITH, MICHAEL HOLDBROOK, JOSEPH DAHER, JOHN DOE I, JOHN DOE II, & JOHN DOE III,

Plaintiffs,

-v-

XEROX CORPORATION,

Defendants.

NOTICE OF MOTION OF ANDREW M. BURNS TO WITHDRAW AS CO-COUNSEL FOR PLAINTIFFS

Civil Action No. 07-cv-6325-DGL

PLEASE TAKE NOTICE that Andrew M. Burns will move this Court at such time as the Court may designate pursuant to its rules, before the Honorable David G. Larimer, United States District Court Judge, United States District Court for the Western District of New York, 2120 United States Courthouse, 100 State Street, Rochester New York, for an Order permitting Andrew M. Burns to withdraw as co-counsel for plaintiffs. Christina A. Agola, Attorneys and Counselors at Law, PLLC, will continue to represent plaintiffs in this action.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 7.1, opposing affidavits and answering memoranda, if any, must be served at least three (3) business days prior to the return date.

Dated: October 29, 2008

/s/ Christina A. Agola

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Attorneys for plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2008, I electronically filed the foregoing notice of motion of Andrew M. Burns to withdraw as co-counsel for plaintiffs with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to the following:

Margaret A. Clemens, Esq. – mclemens@nixonpeabody.com

Christina A. Agola, Esq. – caaesq@rochester.rr.com

/s/ Andrew M. Burns